

APPEAL NO. 030177  
FILED FEBRUARY 7, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 2, 2003. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of \_\_\_\_\_, does not extend to and include nerve damage to the claimant's right hand; that the claimant had disability from January 9 through March 11, 2002; and that the claimant did not have disability from March 12, 2002, through January 2, 2003. The claimant appealed, and the respondent (carrier) responded.

DECISION

Reversed and remanded.

In his decision, the hearing officer incorrectly identified the claimant's compensable injury of \_\_\_\_\_, as a fracture to the left ring finger. It is undisputed that the claimant sustained a fracture of the fourth metacarpal of the right hand on \_\_\_\_\_, in the course and scope of his employment. Because the extent issue is whether the compensable injury extends to and includes nerve damage to the claimant's right hand, and because disability after March 11, 2002, may be dependent on the resolution of the extent issue, the hearing officer's mistake in identifying the compensable injury as a fracture of the left ring finger necessitates a reversal of the hearing officer's decision and a remand of the case for the hearing officer to correctly identify the claimant's injury; to further consider the evidence; and to make findings of fact, conclusions of law, and a decision on the disputed issues with due consideration to be given to the fact that the claimant fractured the fourth metacarpal of his right hand.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202 which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods.

The true corporate name of the insurance carrier is **SOUTHERN VANGUARD INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BRUCE ROBERT MILLIGAN  
2727 TURTLE CREEK BLVD  
DALLAS, TEXAS 75266-0560.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Terri Kay Oliver  
Appeals Judge